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Mail Stop AF

AF/3739

Response under 37 C.F.R. 1.116  
Expedited Procedure Requested  
Examining Group. 3739

Corres. and Mail

Attorney Docket No. P20596

In re application of : M. MATSUSHITA et al.

**BOX AF**

Serial No. : 09/848,301

Group Art Unit: 3739

Filed : May 4, 2001

Examiner: J.D. Ram

For : FLEXIBLE TUBE FOR AN ENDOSCOPE

Mail Stop AF  
COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**RECEIVED****OCT 27 2003**

TECHNOLOGY CENTER R3700

Sir:

Transmitted herewith is an Appeal Brief Under 37 C.F.R. § 1.192 (in triplicate) in the above-captioned application.

\_\_\_ Small Entity Status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a previously filed statement.

\_\_\_ A verified statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.

☒ A Request for Extension of Time.

\_\_\_ No Additional Fee.

☒ Amendment under 37 C.F.R. 1.116.

The fee has been calculated as shown below:

Claims After Amendment	No. Claims Previously Paid For	Present Extra	Small Entity		Other Than A Small Entity	
			Rate	Fee	Rate	Fee
Total Claims: 35	*35	0	x 9=	\$	x 18=	\$0.00
Indep. Claims: 2	**3	0	x 43=	\$	x 86=	\$0.00
Appeal Brief Fee				\$		\$330.00
Extension Fees for one Month				\$		\$110.00
Total:				\$	Total:	\$440.00

\*If less than 20, write 20

\*\*If less than 3, write 3

\_\_\_ Please charge my Deposit Account No. 19-0089 in the amount of \$\_\_\_.

☒ A Check in the amount of \$ 440.00 to cover the filing/extension fee is included.

☒ The U.S. Patent and Trademark Office is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 19-0089.

☒ Any additional filing fees required under 37 C.F.R. 1.16.

☒ Any patent application processing fees under 37 C.F.R. 1.17, including any required extension of times fees in any concurrent or future reply requiring a petition for extension of time for its timely submission (37 CFR 1.136)(a)(3)

*Linda G. Hodge Reg No 47348*  
Bruce H. Bernstein  
Reg. No. 29,027

B

P20596.A13



#17/B

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : M. MATSUSHITA et al.

Group Art Unit: 3739

Appl No. : 09/848,301

Examiner: J.D. RAM

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ZNTA  
1/2/04

RESPONSE UNDER 37 C.F.R. § 1.116

Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

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TECHNOLOGY CENTER R3700

Sir:

A Notice of Appeal in response to the Final Official Action of April 8, 2003 was filed on August 8, 2003. The two month statutory period for response was set to expire on October 8, 2003, and for which a Request for Extension of Time for one month is being filed concurrently herewith, setting the period for response to expire on November 10, 2003 (November 8, 2003 being a Saturday). Along with the present amendment, an Appeal Brief under 37 C.F.R. § 1.192 is being filed concurrently herewith. Accordingly, Applicants respectfully request reconsideration and withdrawal of the outstanding objection in view of the herein contained remarks.

B